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Attorneys for Defendant JED Oil Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

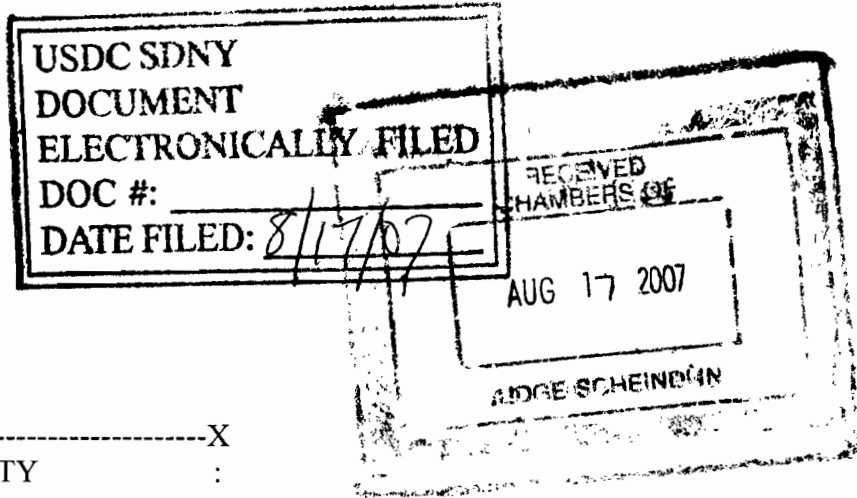
-----X
PORTSIDE GROWTH AND OPPORTUNITY
FUND,

Plaintiff,

-against-

JED OIL INC.,

Defendant.
-----X



07-Civ-7305 (SAS)

(electronically filed)

NOTICE OF DISMISSAL

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 41, Defendant, JED Oil Inc., hereby dismisses this action, without prejudice.

Yesterday, on August 15, 2007, Defendant filed Notice of Removal, to remove this case from the Supreme Court of the State of New York, County of New York, to this Court, based on diversity jurisdiction. As a result of further investigation after filing the Notice of Removal, Defendant learned that complete diversity does not exist between the parties. Because Defendant has learned this so soon after filing the Notice of Removal, no Notice of Notice of Removal has

been filed in the New York Supreme Court action commenced by Plaintiff. Accordingly, no remand is necessary. This action may simply be dismissed.

Dated: New York, New York
August 16, 2007

DORSEY & WHITNEY LLP

By: Neil E. McDonell
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SO ORDERED.

Dated: New York, New York
August 17 2007

Shira A. Scheindlin
Shira A. Scheindlin
United States District Judge